



APPLICATION NUMBER FILING DATE

FIRST NAMED APPLICANT

ATTY. DOCKET NO./TITLE

DATE MAILED:

**NOTICE OF IMPROPER REQUEST FOR CONTINUED EXAMINATION (RCE)**

The request for continued examination (RCE) under 37 CFR 1.114 filed on 7/2/2003 is improper for reason(s) indicated below:

- ☐ 1. Continued examination under 37 CFR 1.114 does not apply to an application for a design patent. Applicant may wish to consider filing a continuing application under 37 CFR 1.53(b) or a CPA under 37 CFR 1.53(d).
- ☒ 2. Continued examination under 37 CFR 1.114 does not apply to an application that was filed before June 8, 1995. Applicant may wish to consider filing a continuing application under 37 CFR 1.53(b) or a CPA under 37 CFR 1.53(d).
- ☐ 3. Continued examination under 37 CFR 1.114 does not apply to an application unless prosecution in the application is closed. If the RCE was accompanied by a reply to a non-final Office action, the reply will be entered and considered under 37 CFR 1.111. If the RCE was not accompanied by a reply, the time period set forth in the last Office action continues to run from the mailing date of that action.
- ☐ 4. The request was not filed before payment of the issue fee, and no petition under 37 CFR 1.313 was granted. If this application has not yet issued as a patent, applicant may wish to consider filing either a petition under 37 CFR 1.313 to withdraw this application from issue, or a continuing application under 37 CFR 1.53(b).
- ☐ 5. The request was not filed before abandonment of the application. The application was abandoned, or proceedings terminated on \_\_\_\_\_. Applicant may wish to consider filing a petition under 37 CFR 1.137 to revive this abandoned application.
- ☐ 6. The request was not accompanied by the fee set forth in 37 CFR 1.17(e) as required by 37 CFR 1.114. Since the application is not under appeal, the time period set forth in the final Office action or notice of allowance continues to run from the mailing date of that action or notice.
- ☐ 7. The request was not accompanied by a submission as required by 37 CFR 1.114. Since the application is not under appeal, the time period set forth in the final Office action or notice of allowance continues to run from the mailing date of that action or notice.

**Note:** If a request for a continued prosecution application (CPA) under 37 CFR 1.53(d) has been filed in the utility or plant application (including a previously filed CPA) that was filed on or after May 29, 2000, the request for a CPA has been treated as a RCE because the CPA practice no longer applies to such application. The constructive RCE, however, is improper for reason(s) indicated above.

**A copy of this notice MUST be returned with any reply.**

Direct the reply and any questions about this notice to:

*Paul Butler*

Examining Group \_\_\_\_\_

(703) 308 - 3762  
FORM PTO-2051 (Rev. 3/2001)

**RECEIVED**

NOV 14 2003

**OFFICE OF PETITIONS**



DAE

Case Docket No: 20781.004

Date: November 5, 2003

Re application of  
**John N. Glover**

Serial No.: **09/320,950**

Filed: **5/27/1999**

For: **Filtering Medium and Method for Contacting  
Solids Containing Feeds for Chemical Reactors**

Mail Stop Petition  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Transmitted herewith is an Amendment and Response, check for \$650.00, Petition for Revival and copy of Notice of Improper Request for Continued Examination in the above-identified application.

       No additional fee is required

The fee has been calculated as shown below.

| CLAIMS AS AMENDED                                |  |       |   |                         |             |                          |
|--|--|-------|---|-------------------------|-------------|--------------------------|
| (1)  | (2)<br>CLAIMS<br>REMAINING<br>AFTER<br>AMENDMENT | (3)   | (4)<br>HIGHEST<br>NO. PRE-<br>VIOUSLY<br>PAID FOR | (5)<br>PRESENT<br>EXTRA | (6)<br>RATE | (7)<br>ADDITIONAL<br>FEE |
| TOTAL<br>CLAIMS                                  | 21   | MINUS | 20*   | 0                       | X \$18/9    | \$18.00                  |
| INDEPEN-<br>DENT<br>CLAIMS                       | 3  | MINUS | 3   | 0                       | X \$86/43   |                          |
| TOTAL ADDITIONAL FEE FOR THIS AMENDMENT: \$18.00 |  |       |   |                         |             |                          |

If the entry in column 2 is less than the entry in Column 4, write "0" in Column 5.

\*If the "highest Number Previously Paid For: IN THIS SPACE is less than 20, write "20" in this space.

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\*\*If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, write "3" in this space.

x Please return the enclosed self-addressed postcard to the undersigned, properly date stamped, upon receipt of the enclosure.

x The Commissioner is hereby authorized to charge all fees and any additional fees which may be required, or credit any overpayment to Account No. 50-0259.

11/5/03  
Date:

BRACEWELL & PATTERSON  
P.O. Box 61389  
Houston, Texas 77208-1389  
Tel: (713) 221-1189  
Fax: (713) 437-5313

Kimberly L. Brown  
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Reg. No. 48,698